

Briefing materials – EPA Region 9

U.S. EPA Administrator Lisa P. Jackson California visit 11/2-11/4

WATER DIVISION:

1. San Francisco Bay/Sacramento-San Joaquin Delta Estuary (Delta):

The Delta, the hub of California's water supply system, is formed by the confluence of the state's two largest rivers: the Sacramento flowing south from its headwaters near Mt. Shasta and the San Joaquin flowing north from its origins high in the southern Sierra Nevada. The 1100 square mile Delta is a web of 60 reclaimed islands protected by earthen levees and approximately 700 miles of waterways. The Delta watershed drains nearly 50% of the state's runoff and supports 80% of California's commercial salmon fishery. The Delta is important habitat for fish, wildlife, and waterfowl, including several threatened and endangered fish species. Pumps in the south Delta operated by the State and federal government divert 20 to 70% of natural flow to the Central Valley and Southern California, supplying a portion of the drinking water for 24 million Californians and water for more than 1,800 agricultural users who produce half the nation's fruits and vegetables. Water that is not diverted in or upstream of the Delta flows through San Francisco Bay to the Pacific Ocean. EPA has long been involved in efforts to protect and restore Delta water quality. A three-year drought (2007-2010) exacerbated perennial water supply and fishery conflicts and intensified endangered species litigation related to water project operations. These issues, plus the ongoing risks posed by levee instability, increasing urbanization, climate change and earthquakes led State and federal policy makers to again initiate new processes to "fix the Delta".

- EPA committed in the Interim Federal Action Plan to "assess the effectiveness of the current regulatory mechanisms designed to protect water quality in the Delta". In February 2011, EPA initiated this assessment through an Advanced Notice of Proposed Rulemaking. The ANPR outlined the most critical Delta water quality issues and their current regulatory framework, and solicited input on how best to address these issues. A follow-up report will be issued in late 2011 synthesizing public input and recommending priority actions.
- In 2012, Region 9 will propose new site-specific selenium water quality criteria for the San Francisco Bay and Delta reflecting the most recent science on bioaccumulation of selenium in Bay-Delta species.
- EPA is supporting the State and Regional Water Boards as they address the breadth of water quality and habitat degradation concerns in the Delta. The Water Boards have taken several key actions in the Delta, including upgrading NPDES permits and

approving TMDLs. The State has made less progress on updating water quality standards in the Delta to protect estuarine habitat and fish migration.

- Since 2006, the major water districts dependent on the Delta have been developing a Habitat Conservation Planning effort (the Bay Delta Conservation Plan, or BDCP) with the California Departments of Water Resources and Fish & Game, the U.S. Department of Interior (FWS and BOR) and NOAA-Fisheries to address endangered species concerns and seek water supply assurances. The BDCP will propose a controversial new conveyance facility to shift most diversions from the south Delta to the north Delta in an attempt to reverse the decline of several beneficial uses and add stability to water operations. The State and Federal agencies are preparing a DEIR/S on the BDCP; EPA is a cooperating agency. The DEIR/S has an ambitious schedule, calling for public release in mid-2012. EPA has provided input to ensure that key water quality issues are adequately considered in the analysis of alternatives. We are also developing an MOU with the Corps of Engineers and the lead BDCP agencies integrating CWA 404 permitting steps into the overall BDCP process.

nonresponsive material

